

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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NANCY KOWALSKI, *on behalf of herself and all* :
others similarly situated, :
 :
Plaintiff, :
 :
v. :
 :
APPLE REIT TEN, INC., APPLE REIT NINE, INC., :
DAVID LERNER ASSOCIATES, INC., DAVID :
LERNER, GLADE M. KNIGHT, BRYAN PEERY, :
KENT W. COLTON, GLENN W. BUNTING, R. :
GARNETT HALL, JR., RONALD A. ROSENFELD, :
ANTHONY FRANCIS “CHIP” KEATING, III, LISA :
B. KERN, BRUCE H. MATSON, MICHAEL S. :
WATERS, AND ROBERT M. WILY, :
Defendants. :
----- X

CV11-2919 (JAM)(JO, M.J.)

**DECLARATION OF JOSEPH P. GUGLIELMO IN SUPPORT OF PLAINTIFF
ROBERT LUBIN’S MOTION FOR APPOINTMENT AS LEAD PLAINTIFF AND
APPROVAL OF LEAD PLAINTIFF’S SELECTION OF LEAD COUNSEL**

I, Joseph P. Guglielmo, declare as follows:

1. I am a partner at the law firm of Scott+Scott LLP, counsel for Proposed Lead Plaintiff in this matter. I make this declaration in support of Proposed Lead Plaintiff Robert Lubin's Motion for Appointment as Lead Plaintiff and Approval of Lead Plaintiff's Selection of Lead Counsel. I have personal knowledge of the matters stated herein and, if called upon, I could and would competently testify thereto.

2. I declare that attached to this declaration are true and correct copies of the following exhibits obtained from reliable sources:

Exhibit A: Notice of this action, published June 17, 2011;

Exhibit B: Robert Lubin's Certification; and

Exhibit C: Scott+Scott LLP Firm Résumé.

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed at New York, New York, August 16, 2011.

/s/ Joseph P. Guglielmo

JOSEPH P. GUGLIELMO

Counsel for Proposed Lead Plaintiff

CERTIFICATE OF SERVICE

The undersigned certifies that on August 16, 2011, a true and correct copy of the foregoing was electronically filed with the Clerk of the Court for the Eastern District of New York using the CM/ECF system. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's CM/ECF system.

/s/ Joseph P. Guglielmo
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